

ORDINANCE NO. 001-89

AN ORDINANCE AUTHORIZING THE  
ACQUISITION OF REAL ESTATE AT 3654  
WEST OGDEN AVENUE, CHICAGO, ILLINOIS,  
LOCATED ADJACENT TO THE DOUGLAS  
BRANCH OF THE BLUE LINE RAPID TRANSIT  
LINE AS REQUIRED FOR THE DOUGLAS  
BRANCH RECONSTRUCTION PROJECT

WHEREAS, The Chicago Transit Authority (the "Authority") has undertaken a project to completely rehabilitate and renovate the Douglas branch of the Blue Line ("Douglas Branch Reconstruction Project"); and

WHEREAS, The structure, stations and appurtenances thereto of the rapid transit route of the Douglas branch of the Blue Line, are antiquated and in need of extensive repair and renovation; and

WHEREAS, In the course of construction, reconstruction, renovation and rehabilitation, the Authority will be required to obtain additional property or rights therein, including land at grade level, air levels and subterranean levels for location and placement of structures, structural supports, columns, stations and related appurtenances; and

WHEREAS, The Metropolitan Transit Authority Act, at 70 ILCS 3605/6, permits the Authority to acquire, construct, own, operate and maintain a public service transportation system in said area; and

WHEREAS, The Metropolitan Transit Authority Act, at 70 ILCS 3605/10, empowers the Chicago Transit Authority with the right of eminent domain to acquire private property and property devoted to any public use which is necessary for the purposes of the Chicago Transit Authority; and

WHEREAS, The Central Park Station of the Blue Line, which is located on the west side of South Central Park Avenue, immediately south of West Ogden Avenue, will be completely renovated and reconstructed as a part of the Douglas Branch Reconstruction Project; and

WHEREAS, The Central Park Station design provides for an expanded rapid transit station at this location to meet operating guidelines; and

WHEREAS, The existing Authority right-of-way property at this location is inadequate to accommodate the station reconstruction project; and

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WHEREAS, Engineering staff has recommended that the Authority acquire additional property on the north side of West Ogden Avenue, west of South Central Park Avenue, to accommodate the widening of station platforms; and

WHEREAS, Staff has identified the owner of one of the Parcels of real estate, which is listed on Exhibit A as Parcel Number 14 and commonly known as 3654 West Ogden Avenue, Chicago, Illinois, as Harriet Harvey Philips; and

WHEREAS, The property at 3654 West Ogden Avenue, is a vacant Parcel of land which includes approximately 2,749 square feet and is located immediately adjacent to the Blue Line right of way; and

WHEREAS, Chicago Transit Board Ordinance No. 000-68 determined that it was necessary, desirable and convenient for the Authority to acquire title to and possession of various parcels of property, or rights therein, at grade level, air levels and subterranean levels that either lie near, abut, lie adjacent to or in close proximity to the Douglas branch of the Blue Line rapid transit route as listed on Exhibit A, and that will be required and necessary to complete the scheduled reconstruction, renovation and rehabilitation of the Douglas branch of the Blue Line rapid transit line; and

WHEREAS, Ordinance No. 000-68 also provided that in the event that attempts to negotiate and finalize the purchase of said property were unsuccessful, the General Counsel, or his designee, was authorized to commence condemnation proceedings to acquire said property subject to Board approval of the terms of purchase; and

WHEREAS, The General Counsel commenced negotiations with Harriet Harvey Philips, to acquire fee simple title of the subject property; and

WHEREAS, A condemnation action was filed in the Circuit Court of Cook County, Illinois, under case number 00 L 51075, after attempts to negotiate and finalize the purchase of property from Harriet Harvey Philips were unsuccessful; and

WHEREAS, Pursuant to the Final Judgment Order, which shall be entered on May 22, 2001, the sum of eight thousand three hundred (\$8,300) dollars will be established as just compensation for the fee simple title of the subject property; and

WHEREAS, Pursuant to said Final Judgment Order, the Authority will be required to deposit the sum of eight thousand three hundred (\$8,300) dollars with the Treasurer of Cook County, which sum shall be held for the benefit of the owner or owners of the subject property; now, therefore:

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BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. That the Chicago Transit Board of the Chicago Transit Authority hereby approves the acquisition of the fee simple interest of property located at 3654 West Ogden Avenue, Chicago, Illinois, legally described on Exhibit B and depicted on Exhibit C, at a fee of eight thousand three hundred (\$8,300) dollars.

SECTION 2. That pursuant to the Final Judgment Order which shall be entered in the condemnation action filed in the Circuit Court of Cook County, Illinois, under Case Number 00 L 51075, which is substantially in the form attached hereto and incorporated herein by reference as Exhibit D, the Authority shall be required to deposit the sum of eight thousand three hundred (\$8,300) dollars with the Treasurer of Cook County, which sum shall be held for the benefit of the owner or owners of the subject property.

SECTION 3. That the Chairman of the Chicago Transit Board, or her designee, is hereby authorized to execute any and all documents necessary to effectuate the acquisition of the subject property by the Authority, subject to receipt of clear and merchantable title.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

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Assistant Secretary

June 6, 2001

June 6, 2001